

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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TIKTOK INC., *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as  
President of the United States, *et al.*,

Defendants.

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Civil Action No. 1:20-CV-2658-CJN

**NOTICE OF APPEAL**

On September 27, 2020, the Court entered an order and memorandum opinion granting in part Plaintiffs' motion for a preliminary injunction. *See* ECF No. 29; ECF No. 30 ("Order and Opinion") (both attached hereto). Defendants hereby appeal the Court's Order and Opinion to the United States Court of Appeals for the D.C. Circuit.

Dated: October 8, 2020

Respectfully submitted,

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

TIKTOK INC., et al.,

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v.

DONALD J. TRUMP, President of the  
United States, et al.,

*Defendants.*

Civil Action No. 1:20-cv-02658 (CJN)

**ORDER**


For the reasons stated in the accompanying Memorandum Opinion, ECF No. 30, it is hereby

**ORDERED** that Plaintiffs' Motion for Preliminary Injunction, ECF No. 15, is **GRANTED in part** as to the prohibited transactions in Paragraph 1 of the Commerce Identification, which goes into effect on September 27, 2020, ECF No. 21-1, 23 [sealed version]; 22-1, 23 [redacted version], and **DENIED IN PART** at this time as to the prohibited transactions in Paragraphs 2–5 of the Commerce Identification, which go into effect on November 12, 2020, ECF No. 21-1, 23–24 [sealed version]; ECF No. 22-1, 23–24 [redacted version]. It is further

**ORDERED** that on or before September 28, 2020, at 11:00 am, the Parties shall review the sealed Memorandum Opinion, ECF No. 30, and inform the Court whether the opinion can be unsealed. It is further

**ORDERED** that on or before September 30, 2020, the Parties shall meet, confer, and file a Joint Status Report proposing a schedule for further proceedings. The Parties may also address any other issues that they believe will be helpful to the Court.

DATE: September 27, 2020

  
\_\_\_\_\_  
CARL J. NICHOLS  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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*Defendants.*

Civil Action No. 1:20-cv-02658 (CJN)

**MEMORANDUM OPINION**

On May 15, 2019, acting pursuant to the International Emergency Economic Powers Act (“IEEPA”), 50 U.S.C. §§ 1701–08, among other authorities, the President declared a national emergency relating to the “unrestricted acquisition or use in the United States of information and communications technology or services . . . supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of foreign adversaries.” On August 6, 2020, the President invoked that national emergency declaration; determined that additional steps were necessary with respect to Plaintiffs TikTok and its Beijing-based parent company ByteDance; provided that certain transactions with ByteDance or its subsidiaries would be prohibited; and directed the Secretary of Commerce to identify the prohibited transactions within forty-five days. On September 18, 2020, the Secretary published a list of five transactions to be prohibited with respect to ByteDance and its operations within the United States, and on September 19, revised the implementation date for one of the sets of prohibitions and re-published the list of prohibited transactions.

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